

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

TIMOTHY CHARLES HOLMSETH,

Civil Nos. 16-2496 (JRT/LIB)

Plaintiff,

v.

CITY OF GRAND FORKS, et al,

**ORDER ADOPTING REPORT
AND RECOMMENDATIONS**

Defendants.

Timothy Charles Holmseth, Unit #17, 320 17th Street NW, East Grand Forks, MN 56721, *pro se* plaintiff.

Based upon the Report and Recommendation of United States Magistrate Judge Leo I. Brisbois, and after an independent review of the files, records and proceedings in the above-entitled matter, **IT IS HEREBY ORDERED:**

1. This action is **SUMMARILY DISMISSED WITHOUT PREJUDICE.**
2. Plaintiff Timothy Charles Holmseth's application to proceed in forma pauperis, [Docket No. 2], is **DENIED AS MOOT.**

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: August 25, 2016
at Minneapolis, Minnesota

s/John R. Tunheim
JOHN R. TUNHEIM
Chief Judge
United States District Court